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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,575	11/24/2003	Rex W. Beasley	44737-Beasley 5801	
26252	7590 05/13/2005	•	EXAMINER	
	AUERSFELD LOWRY	HORTON, YVONNE MICHELE		
6320 CANOGA AVENUE SUITE 1650 WOODLAND HILLS, CA 91367			ART UNIT	PAPER NUMBER
			3635	
			DATE MAILED: 05/13/200	5

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary Total Mall ING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply			Application No.	Applicant(s)				
## Examiner ## Provided Action Summary ## Examiner ## Provided Action Summary ## Provided For Reply ## Provided For Reply ## A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ** A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ** Claimscine of time reply be revolated under the provisions of 37 CFR 1.139(a). In no event, however, may a reply be theirly liked ## Provided For Provided Pro	Office Action Summary							
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1) Responsive to communication(s) filed on 14 February 2005. 2a) ☐ This action is FINAL. 2b) ☑ This action is non-final. 3] ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4] ☑ Claim(s) 1-4.6-23.26-35 and 37-40 is/are pending in the application. 4a) Of the above claim(s) is/are ellowed. 6] ☐ Claim(s) is/are allowed. 6] ☐ Claim(s) is/are rejected. 7] ☐ Claim(s) is/are objected to. 8] ☑ Claim(s) 1-4.6-23.26-35 and 37-40 are subject to restriction and/or election requirement. Application Papers 9] ☐ The specification is objected to by the Examiner. 10] ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The orath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Nomison Disclosure Statements) (PTO-1449 or PTO/SB/08) 5) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Draftsperson's Patent Drawing Revie	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any							
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Application/Control Number: 10/721,575

Art Unit: 3635

DETAILED ACTION

Response to Amendment

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

- a. Figure b. Figure 12 c. Figures 13 and 14 d. Figure 15
- e. Figure 16 f. Figure 17 g. Figure 18 h. Figure 19

The applicant need to further elect a species of how the movable wall is positioned within the wall, as shown in figures:

i. Figures 1-4 ii. Figure 8 iii. Figure 9 iv. Figure 10 v. Figure 11 vi. Figure

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne M. Horton whose telephone number is (571) 272-6845. The examiner can normally be reached on 6:30 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (571) 272-6842. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yvonne M. Horton Art Unit 3635

YMH